

### **REMARKS/ARGUMENTS**

Reexamination and reconsideration of this application, withdrawal of the rejections, and formal notification of the allowability of all claims as now presented are earnestly solicited in light of the above amendments and remarks that follow.

Claims 1 and 3-20 are pending in the application. Claim 2 has been cancelled herein without prejudice or disclaimer. Claims 1 and 20 have been amended herein. Both independent claims have been amended to clarify that the two sections of filter material are constructed of a fibrous tow. Additionally, both independent claims have been amended to recite that the two sections of filter material define a compartment therebetween by enclosing each end of the said compartment. Further, claim 1 has been clarified to recite that the first region of the compartment is hollow. Support for these amendments may be found throughout the specification and in the original claims, such as on pages 18 and 24, and in Figure 3. Applicants respectfully submit that no new matter has been introduced by these amendments.

Claims 1-3, 14, 15, and 17-19 stand rejected as anticipated by US 2002/0148478 to Pera. The Examiner relies upon the Pera publication as disclosing two chambers separated by a partition of cellulose acetate, one chamber comprising cellulose acetate filtering material. Applicants respectfully traverse this rejection.

In order to expedite prosecution, Applicants have amended independent claim 1 to recite that the first region of the compartment is hollow. The Pera reference clearly fails to teach or suggest such a filter arrangement. Instead, the Pera filter includes a first chamber 3 containing loosely packed filter material consisting essentially of antioxidants. Thus, the upstream portion of the divided chamber in the Pera filter is not hollow, meaning the corresponding chamber in the Pera filter is not substantially empty such that the hollow section of the compartment provides a mixing region for mainstream smoke prior to entry of the smoke into the adsorbent material as described on page 18 of the specification. Applicants note that a similar recitation is present in independent claim 20, which was not implicated by this rejection. Accordingly, Applicants respectfully request reconsideration and withdrawal of this rejection.

Claims 1, 4-18, and 20 stand rejected as obvious over a combination of U.S. Patent No. 5,629,525 to Counts in view of U.S. Patent No. 6,814,786 to Zhuang and US 2004/02265692 to

Yang. The Examiner relies upon the Counts patent as disclosing a multi-segment filter comprising a mouthpiece filter plug, a tubular free flow filter element, and a second tubular free flow filter. The Examiner relies upon the Zhuang and Yang references as disclosing additional filter segments that can be incorporated into the central tubular free flow filter element of the Counts filter. Specifically, the Examiner relies upon the Zhuang reference as disclosing a filter segment comprising two sorbent segments and a hollow mixing region therebetween. Further, the Examiner relies upon the Yang reference as disclosing a flavored carbon material. Applicants respectfully traverse this rejection.

As noted above, independent claims 1 and 20 have been amended to recite that the two claimed sections of filter material are constructed of a fibrous tow, and further amended to clarify that the two sections of filter material enclose each end of the compartment defined therebetween, which is clearly shown in Figure 3. The Examiner states that the tubular free flow filters 72 of the Counts reference can be viewed as equivalent to the claimed first section of filter material. However, it is not possible for the tubular free flow portions of the Counts filter to act as the first longitudinally extending section of fibrous tow filter material as presently claimed. First, it is noted that the Counts reference does not appear to suggest that a fibrous tow filter material is to be used for the tubular free flow filter elements described therein. Additionally, it is clear from the drawings that the tubular free flow filter elements of the Counts filter do not enclose an end of a compartment defined between two sections of filter material. Tubular free flow filter elements of the type described in the Counts filter cannot be viewed as enclosing an end of a compartment since a tubular element does not provide a barrier that extends across the entire cross-sectional area of a compartment formed in a cigarette filter. The tubular filter elements described in Counts cannot be viewed as enclosing an end of a compartment in the same manner as, for example, the mouthpiece filter plug 104. Consequently, the Counts filter, even modified with the teachings of Zhuang and Yang, cannot be viewed as teaching or suggesting the presently claimed subject matter. It is also noted that the sorbent sections 32 of the Zhuang filter element cannot be viewed as providing the claimed first longitudinally extending section of filter material, since the sorbent elements 32 in Zhuang are clearly not

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formed of a fibrous tow filter material as presently claimed. Accordingly, Applicants respectfully request reconsideration and withdrawal of this rejection.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

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